

REMARKS

In the Office Action¹, the Examiner rejected claims 1, 3-14, 16-26, and 28-37 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,802,467 to Salazar et al. ("*Salazar*") in view of U.S. Patent No. 6,061,435 to Grundvig et al. ("*Grundvig*") and further in view of U.S. Patent No. 6,243,022 to Furukawa ("*Furukawa*"). The Examiner further rejected claims 2, 15, and 27 under 35 U.S.C. § 103(a) as being unpatentable over *Salazar* in view of *Grundvig* and *Furukawa* as applied to claim 1, and further in view of U.S. Patent No. 6,470,189 to Hill et al. ("*Hill*").

Applicants respectfully traverse the rejection of claims 1, 3-14, 16-26, and 28-37 under 35 U.S.C. § 103(a).

Claim 1 recites a telephone set including, among other things, a control means for generating, upon arrival of an incoming call, a remote control signal to at least one of "a plurality of home appliances which ... are remote-controllable by a single radio communication control protocol."

None of *Salazar*, *Grundvig*, or *Furukawa* teaches or suggests at least the claimed control means. *Salazar* does not disclose control of appliances by a single control protocol. Instead, the device in *Salazar* must store a large library of "command code sets" so that it can properly control "substantially all major brands of various devices" (*Salazar*, col. 7-8).

The Examiner contends, "Salazar does teach that home appliances are remote-controllable by a single radio communication control protocol wherein control command

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

transmissions utilize only RF” (Office Action at p. 9). The Examiner also states that Salazar discloses “home appliances ... are remote-controllable by a single radio communication control protocol (control command transmission utilizes only RF link)” (Office Action at p. 2-3).

The “RF” in *Salazar*, however, does not correspond to the claimed protocol. “RF” does not constitute a “protocol” as understood by one of ordinary skill in the art, and two devices using “RF” do not necessarily use a common protocol. A protocol is a set of conventions describing the formatting of data; a disclosure of “RF” only describes a particular physical means for implementing a protocol. In *Salazar*, “RF” is not the protocol, but is the physical means of transporting data conforming to the protocol. Indeed, *Salazar* does not discuss “RF” as a protocol per se, but rather discloses, “each manufacturer ... employs a specific communication protocol that includes a command code set” (*Salazar* col. 7, lines 40-43). *Salazar* thus advances multiple protocols, each using “RF.”

Even assuming that one of ordinary skill in the art would consider the “RF” discussed in *Salazar* a protocol, that protocol would not correspond to the claimed protocol. In particular, claim 1 recites “a single radio communication protocol,” and thus requires both “radio communication” and a “protocol.” A radio frequency does not correspond to both.

Grundvig and *Furukawa* fail to cure the deficiencies of *Salazar*. *Grundvig* discloses a telephone set that can remotely control a television, but does not disclose the details of the protocols used for the remote control (*Grundvig* col. 3, lines 20-24). *Furukawa* discloses a remote control device for automobile windows that uses a single

protocol to control a single device, not a plurality of home appliances (*Furukawa* at col. 7-8, figs. 5a, 5b, 5c).

Although of different scope than claim 1, independent claims 13, 14, and 26 and dependent claims 3-12, 16-25, and 28-37 are allowable for at least the reasons already discussed and because of other differences between the claims and the cited references.

Claim 4 for example recites, “the telephone set according to claim 1, wherein ... the connection is maintained or reestablished periodically so as to enable fast transmission and reception of the information signal ... without having to reestablish the connection.”

The Examiner concedes, “*Salazar & Grundvig & Furukawa* ... do not mention ... execut[ing] a connecting process periodically in advance” but contends “handshaking ... is a necessary and common process in establishing links in radio communication and is performed periodically, wherein control data signal exchanging between both ends takes place in advance of the actual data transfer” (Office Action pages 5-6). While handshaking may be common and may take place in advance of actual data transfer, handshaking normally occurs only when a communication is initiated. As the Examiner states, handshaking is for “establishing links.”

Applicants thus disagree that “handshaking,” as understood in the art, is synonymous with “maintain[ing] or reestablish[ing]” a connection periodically, and request the Examiner to provide documentary evidence supporting any contrary assertion.

Because the cited references fail to teach or suggest each and every element of the claims, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore request the Examiner to withdraw the rejection of claims 1, 3-14, 16-26, and 28-37 under 35 U.S.C. § 103(a).

Applicants respectfully traverse the rejection of claims 2, 15, and 27 under 35 U.S.C. § 103(a).

Claim 2 depends from claim 1. As discussed above, none of *Salazar*, *Grundvig*, or *Furukawa* discloses controlling a plurality of home appliances using a single control protocol. *Hill* fails to cure this deficiency.

Hill discloses using "Bluetooth" as a communication protocol to reduce server workloads. However, the device in *Hill* does not use Bluetooth or another single control protocol to control multiple devices. Therefore, *Hill* fails to teach or suggest using a single control protocol as recited by claim 1.

Although of different scope, claims 15 and 27 recite features similar to those of claim 2. As already discussed, none of the cited references teaches or suggests using Bluetooth communication as a single control protocol to control a plurality of household appliances.

Because the cited references fail to teach or suggest each and every element of the claims, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore request the Examiner to withdraw the rejection of claims 2, 15, and 27 under 35 U.S.C. § 103(a).


In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Michael R. Kelly
Reg. No. 33,921